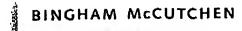
RECEIVED **CENTRAL FAX CENTER**



DEC 15 2006

Facsimile

DATE: December 15, 2006 **PHONE** FAX NAME 571-273-8300 571-272-2485 Examiner Thomas R. Artman TO: Bingham McCurchen LLP United States Patent and Trademark 1900 University Avenue East Palo Allo, CA 94303-2223 (650) 849-4455 (650) 849-4800 ¢\$0.849.4400 Sheila Badon FROM: 650.849.4800 fox sheila.badon@bingham.com (INCLUDING THIS COVER PAGE): 15 PAGES: bingham.com U.S. Patent Application Serial No. 10/037,477 Boston Entitled: METHOD AND APPARATUS FOR IRRADIATING A TARGET Hortford Date Filed: January 2, 2002 London Yoshihiro Takai, Wolfgang W. Kaissl, Marcel R. Marc, John C. Ford, Inventor: Los Angeles Shogo Yamada, Masatoshi Mitsuya New York Attorney Docket No. VM7012072001 Orange County San Francisco MESSAGE: Silican Vailey Tokyo Walnut Creck Certificate of Transmission (37 C.F.R. § 1.8(a)): Washington

Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Thomas R. Artman, (Group Art Unit 2882) at Facsimile No. (571) 273-8300.

Dated: December 15, 2006

Name of Person Certifying:

Printed Name:

Enclosed:

- Transmittal (1 pg);
- Amendment After Final (13 pgs).

For transmission problems, please call (650) 849-4825

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor a person responsible for the delivery of this transmittal to the intended recipient(s), you are hereby notified that any unauthorized reading, distribution, copying or disclosure of this transmittal is prohibited. If you have received this transmittal in error, please notify as immediately at (same telephone number as in first paragraph - will duplicate) and return the transmittal to the sender. Thank you

Timekeeper No:	27577	Client/Maner No:	2018721-70	2072001	DATE/TIME STAMP
Client/Matter Name:	Varian Medical Systems Technologies, Inc.				
Return To:	Sheila Badon		Floor No:	04	

PA/52193597.1

DEC 15 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons the required to respond to a collection of information unless it displays a valid OMB control number.

		Application Number		10/037,477	Charles and property.				
TRANSMITTAL	Filing Date		January 2, 2002						
FORM	First Named Invent	or	Yoshihiro Takai et al.						
	Art Unit		2882						
No harmon for all company docts after	Examiner Name		Thomas R. Artman						
(to be used for all correspondence after initial filing) Total Number of Pages in This Submission 14		Attorney Docket Nu	mber	VM7012072001					
ENCLOSURES (check all that apply)									
Fee Transmittal Form	Drawlng(s	s)			wance Communication to TC				
Fee Attached	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences					
Amendment / Reply (13 pgs).	☐ Petition			Appeal Communication to TC (Appeal Notice, Brief, Repty Brief)					
After Final	Pelition to Convert to a Provisional Application			Proprietary Information					
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address			Status Letter					
Extension of Time Request	Terminal Disclaimer			Other Enclosure(\$) (please identity below):					
Express Abandonment Request	Request for Refund CD, Number of CD(s)			Fax Cover Sheet to Examiner					
<u> </u>		ndscape Table on CD		•	*				
Certified Copy of Priority Document(s)	Remarks	10000							
Reply to Missing Parts/ Incomplete Application									
Reply to Missing Parts under 37 CFR1.52 or 1.53									
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT									
Firm Bingham McCutchen LLP									
Signature	# 12 m	,							
Printed Name Erich Tzou			_	_					
Date December 1		Reg. No. 56,927							
CERTIFICATE OF TRANSMISSION/MAILING									
I hereby certify that this correspondence is being facethille transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the page shown below.									
Signature Shirle Endlog.									
Typed or printed name Shella B			Date	December 15, 2006					

This collection of information is required by 37 CPR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CPR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestors for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PYO-0199 and select option 2.

RECEIVED CENTRAL FAX CENTER

DEC 15 2006.

Patent VM7012072001 Varian 02-001

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date

indicated below to the attention of Examiner Thomas R. Artman at Facsimile No. 577,273,8300.

Dated: December 15, 2006_

Name of Person Certifying: _ Printed Name: _

Sheila Badon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 2882

Yoshihiro Takai, et al.

Examiner: Artman, Thomas R.

Serial No.: 10/037,477

Filed: January 2, 2002

For: METHOD AND APPARATUS FOR

IRRADIATING A TARGET

AMENDMENT AFTER FINAL

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed on October 17, 2006, Applicant respectfully submits the following remarks. Applicant notes that the amendment filed on October 27, 2006 was crossed in the mail with the current Office Action, and was therefore, not considered by the Office. Applicant hereby resubmits the voluntary amendment filed on October 27, 2006.

Amendments to the Claims begin on page 2.

Remarks begin on page 12.